

Serial No. 10/769,226
Response date June 14, 2006
Reply to Office Action of March 14, 2006

REMARKS

Status of claims

Applicants thank the Examiner for the consideration given to the present application. Claim 2 has been canceled without prejudice. Independent claims 1, 21, and 22 have been amended, and new claims 30-33 have been added. Support for these amendments is found in the specification and figures, and thus no new matter has been entered in the claims. Claims 1 and 3-22, and 29-33 are pending in the present application.

Rejection of Claims under 35 U.S.C. §102 and 35 U.S.C. §103

Claims 1-2, 4-16, and 18-20 have been rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Williamson, Jr., U.S. Patent Number 3,325,014. Claims 1-22 and 29 have been rejected under 35 U.S.C. §103(a) as unpatentable over EP 0 066 421 in view of Williamson, Jr., U.S. Patent Number 3,325,014.

Applicant respectfully traverses these rejections. To anticipate a claim under §102, each and every element of the claim must be found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In addition, "the identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Moreover, in order to establish a prima facie case of obviousness under §103, the Examiner has the burden of showing, by reasoning or evidence, that: 1) there is some suggestion or motivation, either in the references themselves or in the knowledge available in the art, to modify that reference's teachings; 2) there is a reasonable expectation on the part of one of ordinary skill in the art that the modification or combination has a reasonable expectation of success; and 3) the prior art references (or references when combined) teach or suggest all the claim limitations. MPEP §2145.

Applicants' Independent claim 1 recites a composition comprising, *inter alia*, a primary coagulant and a bridging flocculant having a weight average molecular weight of at least 2,000,000, wherein the weight ratio of primary coagulant and bridging flocculant is from about 10:1 to about 200:1. Applicants' independent claim 3 recites a composition comprising, *inter*

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alia, a primary coagulant and a bridging flocculant having a weight average molecular weight of at least 2,000,000, wherein the weight ratio of primary coagulant and bridging flocculant is from about 25:1 to about 75:1.

Applicants respectfully submit that none of the references, singularly or in combination, teach or suggest a composition wherein the weight ratio of primary coagulant and bridging flocculant is from about 10:1 to about 200:1 (claim 1) or, more specifically, from about 25:1 to about 75:1 (claim 3). Williams, Jr. is void of any teaching or suggestion as to a bridging flocculant, let alone a weight ratio of primary coagulant and bridging flocculant between 10:1 and 200:1 or 25:1 and 75:1. In addition, EP 0 066 421 does not teach or suggest, singularly or in combination with Williams, Jr., a weight ratio of primary coagulant and bridging flocculant. More particularly, EP 0 066 421 is silent as to Applicants' specifically claimed weight ratios of primary coagulant to bridging flocculant from about 10:1 to about 200:1 or from about 25:1 to about 75:1. Thus, Applicants respectfully submit that neither Williams, Jr. nor EP 0 066 421, singularly or in combination, teach or suggest all of the limitations of Applicants' independent claims 1 and 3.

With respect to Applicants' independent claim 21, claim 21 recites a composition comprising, *inter alia*, a primary coagulant, microbiocidal chlorine-based disinfectant, and a bridging flocculant, wherein the microbiocidal disinfectant is in controlled, delayed, sustained or slow release form whereby the composition has a t_{max} corresponding to the time for achieving maximum disinfectant concentration after addition to deionized water at 20°C which is greater than the 80%-ile soluble organic matter flocculation rate (t_{80}) of the composition. Also, Applicants' independent claim 22 recites a composition comprising, *inter alia*, a primary coagulant, a water-soluble or water-dispersible polymeric bridging flocculant, calcium hypochlorite, an oxidant system, and a moisture sink. Neither Williams, Jr. nor EP 0 066 421 teach or suggest, singularly or in combination, a composition containing a microbiocidal disinfectant, wherein the disinfectant is in a controlled, delayed, sustained, or slow release form whereby the composition has a t_{max} corresponding to the time for achieving maximum disinfectant concentration after addition to deionized water at 20°C which is greater than the 80%-ile soluble organic matter flocculation rate (t_{80}) of the composition. Moreover, Williams, Jr. and EP 0 066 421, singularly or in combination, do not teach or suggest a composition that

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contains a moisture sink. More particularly, neither reference, singularly or in combination, teach or suggest a composition that includes the combination of all four components as recited in Applicants' claim 22 (i.e., a primary coagulant, a polymeric bridging flocculant, calcium hypochlorite, an oxidant system, and a moisture sink). Thus, Applicants respectfully submit that neither Williams, Jr. nor EP 0 066 421, singularly or in combination, teach or suggest all of the limitations of Applicants' independent claims 21 and 22.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) of Independent claims 1, 3, 21, and 22. As claims 4-20, and 29-33 depend from independent claims 1, 3, 21, or 22, the rejection of these claims under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) should be withdrawn as well.

CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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